

AMENDED IN ASSEMBLY APRIL 8, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2277**

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**Introduced by Assembly Member Eng**

February 21, 2008

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~~An act to add Section 41220 to the Education Code, relating to school finance.~~ *An act to amend Section 84207 of, and to add Article 1 (commencing with Section 84700) to Chapter 5 of Part 50 of Division 7 of Title 3 of, the Education Code, relating to community colleges, making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2277, as amended, Eng. ~~Community college districts: education finance.~~ *Community Colleges: property tax revenues.*

*(1) Existing law requires the county auditor of each county to furnish to the Board of Governors of the California Community Colleges, on or before November 15 of each year, the actual previous year's receipts, along with estimated current year receipts for secured tax receipts, unsecured tax receipts, prior year tax receipts, timber tax receipts, and any other appropriate taxes or subventions for each community college district or portion of a district situated within the county.*

*This bill would instead require the county auditor of each county to furnish estimated previous year's receipts along with the estimated current year receipts to the Board of Governors of the California Community Colleges on or before November 15 of each year, and would require the county auditor of each county to furnish actual previous year's receipts, along with revised estimates of current year receipts, to the Board of Governors of the California Community Colleges on*

or before April 30 of each year, thereby imposing a state-mandated local program.

(2) Existing law requires the Board of Governors of the California Community Colleges, in calculating each community college district's revenue level for each fiscal year, to subtract, among other things, local property tax revenue specified by law for general operating support, exclusive of bond interest and redemption, from the total revenues owed.

The bill would, for the 2007–08 fiscal year, make an appropriation by requiring the Controller to transfer \$80,000,000 from the General Fund to Section B of the State School Fund for the California community college system.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Under existing law, the State of California is required to appropriate a computed minimum amount of funds from the General Fund for the support of school districts and community college districts for each fiscal year.~~

~~This bill would, notwithstanding any other law, require that commencing with the \_\_\_\_\_ fiscal year, 11% of the funds appropriated for the support of school districts and community college districts and 11% of the funds appropriated as repayment of the maintenance factor, be allocated to community college districts each fiscal year. The bill would require that the percentage of funds allocated to be phased in as determined by statute.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 84207 of the Education Code is amended  
2     to read:

1 84207. (a) On or before November 15 of each year, the county  
2 auditor of each county shall furnish to the Board of Governors of  
3 the California Community Colleges ~~the actual~~ *estimated* previous  
4 ~~year's~~ year's receipts, along with estimated current year receipts  
5 for secured tax receipts, unsecured tax receipts, prior year tax  
6 receipts, timber tax receipts, and any other appropriate taxes or  
7 subventions for each community college district or portion of a  
8 district situated within his or her county. ~~This~~

9 (b) *On or before April 30 of each year, the county auditor of*  
10 *each county shall furnish the actual previous year's receipts, along*  
11 *with revised estimates of the current year receipts, to the Board*  
12 *of Governors of the California Community Colleges.*

13 (c) *The information required by this section shall be forwarded*  
14 *on forms prescribed by the Board of Governors of the California*  
15 *Community Colleges.*

16 SEC. 2. *Article 1 (commencing with Section 84700) is added*  
17 *to Chapter 5 of Part 50 of Division 7 of Title 3 of the Education*  
18 *Code, to read:*

19  
20 *Article 1. Local Property Tax Revenue Allocation*  
21

22 84700. *For the 2007–08 fiscal year, the Controller, at the time*  
23 *of the next general apportionment certification by the chancellor,*  
24 *shall transfer eighty million dollars (\$80,000,000) from the General*  
25 *Fund to Section B of the State School Fund for the purposes of*  
26 *Section 84750.5.*

27 SEC. 3. *Notwithstanding Section 17610 of the Government*  
28 *Code, if the Commission on State Mandates determines that this*  
29 *act contains costs mandated by the state, reimbursement to local*  
30 *agencies and school districts for those costs shall be made pursuant*  
31 *to Part 7 (commencing with Section 17500) of Division 4 of Title*  
32 *2 of the Government Code. If the statewide cost of the claim for*  
33 *reimbursement does not exceed one million dollars (\$1,000,000),*  
34 *reimbursement shall be made from the State Mandates Claims*  
35 *Fund.*

36 ~~SECTION 1. Section 41220 is added to the Education Code,~~  
37 ~~to read:~~

38 ~~41220. (a) Notwithstanding any other law, commencing with~~  
39 ~~the \_\_\_\_\_ fiscal year, 11 percent of the funds annually appropriated~~  
40 ~~for the support of school districts and community college districts~~

1 ~~pursuant to subdivision (b) of Section 8 of Article XVI of the~~  
2 ~~California Constitution shall be allocated to community college~~  
3 ~~districts.~~

4 ~~(b) Notwithstanding any other law, commencing with the \_\_\_\_\_~~  
5 ~~fiscal year, 11 percent of the funds annually appropriated as~~  
6 ~~repayment of the maintenance factor pursuant to subdivision (c)~~  
7 ~~of Section 8 of Article XVI of the California Constitution shall be~~  
8 ~~allocated to community college districts.~~

9 ~~(c) The percentage of funds allocated pursuant to subdivisions~~  
10 ~~(a) and (b) shall be phased in as determined by statute.~~